



PUGET SOUND AIR POLLUTION CONTROL AGENCY
KING COUNTY ▲ KITSAP COUNTY ▲ PIERCE COUNTY ▲ SNOHOMISH COUNTY

August 25, 1998

Ash Grove Cement Company
c/o Henrik Voldbaek, Plant Manager
3801 East Marginal Way South
Seattle WA 98134

*Rec'd
8/28/98*

Dear Mr. Voldbaek:

Ash Grove Cement Company
Notice and Order of Civil Penalty No. 8886

This Agency wishes to acknowledge and thank you for check #14842. The funds (\$8,000.00) from this check, when deposited to the Agency, are accepted in full payment of Notice and Order of Civil Penalty No. 8886.

Thank you for your action to ensure compliance with Agency air pollution regulations and in joining with this Agency in efforts to achieve cleaner air.

Sincerely,

Neal J. Shulman
Manager - Inspection

NJS:ml

cc: Laurie Halvorson, Agency Counsel
Accounting
Fred L. Austin, Air Pollution Engineer
Rosemary Busterna, Senior Air Pollution Inspector
Rick D. Hess, Senior Air Pollution Inspector
Elizabeth Gilpin, Air Pollution Inspector
Melissa McAfee, Air Pollution Inspector

Dennis J. McLerran, Air Pollution Control Officer

B O A R D O F D I R E C T O R S

AGCS2M001334

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110 Union Street, Suite 500, Seattle, Washington 98101-2038 ▲ (206) 343-8800 ▲ (800) 552-3565 ▲ FAX: (206) 343-7522

printed on recycled paper

PUGET SOUND AIR POLLUTION CONTROL AGENCY
a municipal corporation of the state of Washington
110 Union Street, Suite 500
Seattle, Washington 98101-2038

VS

ASH GROVE CEMENT CO.
c/o Henrik Voldbaek, Plant Manager
3801 East Marginal Way South
Seattle, Washington 98134

8661 6 0 701

NO. 8886

**NOTICE AND ORDER
OF CIVIL PENALTY**

You are hereby notified that, pursuant to Chapter 70.94 RCW and Notice of Violation Nos. 36583, 36584, and 36585, copies of which were previously provided to you or your agent, you have violated Regulation I, Sections 9.09(b)(1) and 9.09(b)(2) of the Puget Sound Air Pollution Control Agency in the following particulars:

On or about the 1st day of November 1997, at 3801 East Marginal Way South in the city of Seattle, King County, state of Washington, you caused or emissions of an air contaminant which was greater than 5% opacity for a one hour average, in violation of Section 9.09(b)(2). (NOV 36583)

On or about the 2nd day of November 1997, at 3801 East Marginal Way South in the city of Seattle, King County, state of Washington, you caused or emissions an air contaminant which was greater than 5% opacity for a one hour average, in violation of Section 9.09(b)(2). (NOV 36584)

On or about the 22nd day of November 1997, at 3801 East Marginal Way South in the city of Seattle, King County, state of Washington, you caused or emissions an air contaminant which was greater than 20% opacity for more than 3 minutes in an hour, in violation of Section 9.09(b)(1). (NOV 36585)

As a result of the foregoing violations, a penalty is assessed against you as follows:

For the violations that occurred on or about:

November 1, 1997	\$3,000.00	NOV36583
November 2, 1997	\$2,000.00	NOV36584
November 22, 1997	<u>\$3,000.00</u>	NOV36585
TOTAL	\$8,000.00	

The full amount of this penalty is due and payable within thirty (30) days of receipt of this notice, unless within such time a request for hearing is filed. (See reverse side for both mitigation procedures and appeal procedures.)

In the event the full amount of this penalty is not paid on or before thirty (30) days of receipt of this notice, or a request for mitigation has not been made to this Agency, or a request for hearing has not been made to the Pollution Control Hearings Board of Washington and the Air Pollution Control Officer, action will be commenced in court to recover such penalty.

Dated this 7th day of July 1998.

Dennis J. McLerran
Air Pollution Control Officer

by Neal J. Shulman
Manager - Inspection

Certified Mail No. Z 334 353 186

AGCS2M001335

110 Union Street, Suite 500, Seattle, Washington 98101-2038
206-343-8800 / 1-800-552-3565 / Fax 206-343-7522

Registration No. 11339
Cert. Mail No. 2186155729

Nb. 36583

NOTICE OF VIOLATION

Date of Violation: 11/1, 1997 at _____ m.

Name Ash Grove Cement Co.	Responsible Person, Title Henrik Voldback Plant manager		
Location of Violation (Address) 3801 E Marginal Way So.	City Seattle	Zip 98134	County King
Mailing Address As Above	City, State Seattle, Wa.	Zip 98134	Phone 206 623-5596

DID UNLAWFULLY CAUSE OR ALLOW VIOLATION OF:

REGULATION I OF THE PUGET SOUND AIR POLLUTION CONTROL AGENCY FOR:

- ☐ Section 5.05(e) Failure to develop and implement an operation and maintenance plan.
- ☐ Section 6.03(a) Failure to obtain Notice of Construction approval prior to construction/installation/establishment of a source.
- ☐ Section 9.03(a) Visible emissions in excess of 20% opacity for periods aggregating more than 3 minutes/hour.
- ☐ Section 9.11(a) Emission of air contaminant in quantities/characteristics/duration so as to be injurious or interfere with enjoyment of life/property.
- ☐ Section 9.12(b) Emission of odor-bearing air contaminants without use of best available control technology.
- ☐ Section 9.15(a) Emission of fugitive dust without use of best available control technology.
- ☐ Section 9.15(b) Deposition of mud, dirt, or debris from vehicle or load onto a paved public roadway.
- ☐ Section 9.15(c) Emission of fugitive dust from manufacturing process equipment or control apparatus.
- ☐ Section 9.16 Failure to apply VOC-containing material using spray equipment in an enclosed area with filtered exhaust and vertical stack.
- ☐ Section 9.20 Failure to operate and maintain equipment in good working order.
- ☐ Failure to meet Order of Approval No. _____, Condition No. _____
- ☒ Section 9.09(b)(2) Unlawful to cause or allow the emission of any
Contaminant as determined by a CEMS > 5% opacity 1 hr Average
- ☐ Section _____

FACTS ALLEGED TO CONSTITUTE A VIOLATION November 1997 CEMS Report RECEIVED
FEB 07 1998

CORRECTIVE ACTION ORDER AGCW-SEATTLE

Under the provisions of Section 3.09 of Regulation I and RCW 70.94.211 you are ordered to submit a written report within ten (10) days of receipt of this Notice describing the necessary corrective action you have taken or propose to take, including a schedule, to achieve continuous compliance with the regulations, and take the following necessary corrective action:

Submit CEM logs for the quarter
Aug, Sept Oct and November of 1997 for the main baghouse

Issued By: [Signature]
Air Pollution Inspector
Form No. 70-119 (Revised 12/95 cbe)

2/4/98
Date/Time

Received By: _____
Signing this Notice is not an admission of guilt

AGCS2M001336

110 Union Street, Suite 500, Seattle, Washington 98101-2038
206-343-8800 / 1-800-552-3565 / Fax 206-343-7522

Registration No. 11339
Cert. Mail No. 2116155729

File No. **36584**

NOTICE OF VIOLATION

Date of Violation: November 2, 1997 at _____ m.

Name <u>Ash Grove Cement Co.</u>		Responsible Person, Title <u>Henrik Voldbaek Plant Manager</u>	
Location of Violation (Address) <u>3801 E. Marginal Way So.</u>	City <u>Seattle</u>	Zip <u>98134</u>	County <u>King</u>
Mailing Address <u>As Above</u>	City, State <u>Seattle, WA</u>	Zip <u>98134</u>	Phone <u>(206) 623-5596</u>

DID UNLAWFULLY CAUSE OR ALLOW VIOLATION OF:

REGULATION I OF THE PUGET SOUND AIR POLLUTION CONTROL AGENCY FOR:

- ☐ Section 5.05(e) Failure to develop and implement an operation and maintenance plan.
- ☐ Section 6.03(a) Failure to obtain Notice of Construction approval prior to construction/installation/establishment of a source.
- ☐ Section 9.03(a) Visible emissions in excess of 20% opacity for periods aggregating more than 3 minutes/hour.
- ☐ Section 9.11(a) Emission of air contaminant in quantities/characteristics/duration so as to be injurious or interfere with enjoyment of life/property.
- ☐ Section 9.12(b) Emission of odor-bearing air contaminants without use of best available control technology.
- ☐ Section 9.15(a) Emission of fugitive dust without use of best available control technology.
- ☐ Section 9.15(b) Deposition of mud, dirt, or debris from vehicle or load onto a paved public roadway.
- ☐ Section 9.15(c) Emission of fugitive dust from manufacturing process equipment or control apparatus.
- ☐ Section 9.16 Failure to apply VOC-containing material using spray equipment in an enclosed area with filtered exhaust and vertical stack.
- ☐ Section 9.20 Failure to operate and maintain equipment in good working order.
- ☐ Failure to meet Order of Approval No. _____, Condition No. _____
- ☒ Section 9.09(b)(2) Unlawful to cause or allow the emission of any contaminant as determined by a CEMS > 5% opacity 1 hr Average
- ☐ Section _____

FACTS ALLEGED TO CONSTITUTE A VIOLATION November 1997 CEM report

RECEIVED

CORRECTIVE ACTION ORDER FEB 07 1998

Under the provisions of Section 3.09 of Regulation I and RCW 70.94.211 you are ordered to submit a written report within ten (10) days of receipt of this Notice describing the necessary corrective action you have taken or propose to take, including a schedule, to achieve continuous compliance with the regulations, and take the following necessary corrective action:

Submit O&M logs for the quarter Sept Oct. and November of 1997 for the main baghouse

Issued By: [Signature]
Air Pollution Inspector
Form No. 70-119 (Revised 12/95 cbc)

2/4/98
Date/Time

Received By: _____
Signing this Notice is not an admission of guilt

AGCS2M001337

110 Union Street, Suite 500, Seattle, Washington 98101-2038
206-343-8800 / 1-800-552-3565 / Fax 206-343-7522

Registration No. 11339
Cert. Mail No. 2116155729

NO. 36585

NOTICE OF VIOLATION

Date of Violation: November 22, 1997 at _____ m.

Name Ash Grove Cement Co.	Responsible Person, Title Henrik Voldback Plant Manager		
Location of Violation (Address) 3801 E Marginal Way So.	City Seattle	Zip 98134	County King
Mailing Address As Above	City, State Seattle, WA.	Zip 98134	Phone (206) 623-5596

DID UNLAWFULLY CAUSE OR ALLOW VIOLATION OF:

REGULATION I OF THE PUGET SOUND AIR POLLUTION CONTROL AGENCY FOR:

- ☐ Section 5.05(e) Failure to develop and implement an operation and maintenance plan.
- ☐ Section 6.03(a) Failure to obtain Notice of Construction approval prior to construction/installation/establishment of a source.
- ☐ Section 9.03(a) Visible emissions in excess of 20% opacity for periods aggregating more than 3 minutes/hour.
- ☐ Section 9.11(a) Emission of air contaminant in quantities/characteristics/duration so as to be injurious or interfere with enjoyment of life/property.
- ☐ Section 9.12(b) Emission of odor-bearing air contaminants without use of best available control technology.
- ☐ Section 9.15(a) Emission of fugitive dust without use of best available control technology.
- ☐ Section 9.15(b) Deposition of mud, dirt, or debris from vehicle or load onto a paved public roadway.
- ☐ Section 9.15(c) Emission of fugitive dust from manufacturing process equipment or control apparatus.
- ☐ Section 9.16 Failure to apply VOC-containing material using spray equipment in an enclosed area with filtered exhaust and vertical stack.
- ☐ Section 9.20 Failure to operate and maintain equipment in good working order.
- ☐ Failure to meet Order of Approval No. _____, Condition No. _____
- ☒ Section 9.09(b)(1) Unlawful to cause or allow any air contaminant as determined by a CEMS this is $> 20\%$ opacity for more than 3 min in 7 hr
- ☐ Section _____

FACTS ALLEGED TO CONSTITUTE A VIOLATION

November 1997 CEM Report

RECEIVED

FEB 07 1998

AGCW SEATTLE

CORRECTIVE ACTION ORDER

Under the provisions of Section 3.09 of Regulation I and RCW 70.94.211 you are ordered to submit a written report within ten (10) days of receipt of this Notice describing the necessary corrective action you have taken or propose to take, including a schedule, to achieve continuous compliance with the regulations, and take the following necessary corrective action:

Submit O&M logs for the quarter Sept, Oct and November of 1997 for the main baghouse.

Issued By:

Air Pollution Inspector

Form No. 70-119 (Revised 12/95 cbc)

Date/Time

Received By:

Signing this Notice is not an admission of guilt

AGCS2M001338

OPACITY (CONT):

<u>Date</u>	<u>Time</u>	<u>Hourly Average</u>	<u>Minute Average</u>	<u>Time</u>	<u>Minute Average</u>
11/22/97	00:00	30.2			
	00:22		40.5	00:33	82.3
	00:23		82.2	00:34	81.2
	00:24		82.2	00:35	80.5
	00:25		82.5	00:36	78.8
	00:26		82.4	00:37	77.3
	00:27		82.4	00:38	77.4
	00:28		82.0	00:39	75.2
	00:29		82.1	00:40	75.2
	00:30		82.5	00:41	34.3
	00:31		82.7	00:42	43.5
	00:32		82.7	00:43	46.8

Several bags had come off their thimbles in compartment #11. This was isolated until it could be worked on by the maintenance staff. It is our opinion that this event should be exempt from penalty under WAC 173-400-107 subsection 6. As demonstrated above, the event was not caused by poor operation, maintenance or design. The event is not recurring, and the operator took immediate and appropriate action.

OPACITY:

<u>Date</u>	<u>Time</u>	<u>Hourly Value</u>
11/01/97	16:00	6.75
11/01/97	17:00	5.65
11/01/97	18:00	5.50
11/01/97	19:00	6.15
11/01/97	20:00	9.28
11/01/97	21:00	13.25
11/01/97	22:00	11.51
11/01/97	23:00	10.31
11/02/97	00:00	12.83
11/02/97	01:00	7.78

At around 16:00, the opacity increased to over 5.5%. It had been around the 4.5% level for several days. This had been a concern and we were in the process of performing maintenance on one of the compartments (#6). At the time the opacity went above the limit, it would have been impossible for us to take another compartment off for service and still operate the kiln. The decision was made to complete the maintenance of the compartment 6, and then troubleshoot the others. At this time it was determined that there were problems with compartment #9. This was taken off line. It was found that there were two bad bags and some small holes in the siding. These were repaired and the compartment was placed back on line. The opacity returned to below our permit limit, however it was still higher than we would like. We continued to inspect and perform minor repairs as found throughout the month. When the kiln was shut down at the start of December, it was found that the opacity monitor was reading about 2% high. It is our opinion that this event should be exempt from penalty under WAC 173-400-107 subsection 6. As demonstrated above, the event was not caused by poor operation, maintenance or design. The event is not recurring, and the operator took immediate and appropriate action.